## DEPARTMENT OF NATURAL RESOURCES WATER RESOURCES COMMISSION

IN THE MATTER OF

NPDES PERMIT NO. MI 0002381 FINAL ORDER NO. 1994

Pennwalt Corporation

WRC NO: NC-05-82-36-4275

## NOTICE OF NONCOMPLIANCE

TO: Pennwalt Corporation

4655 Biddle Avenue

Wyandotte, Michigan 48192

Attention: Mr. John J. Lewis, Supervisor

Environmental Control

US EPA RECORDS CENTER REGION 5

PLEASE BE ADVISED that we have sufficient information to believe that your facility has failed to comply with the terms and conditions of your National Pollutant Discharge Elimination System Permit issued on June 20, 1975 and Final Order of Abatement entered on February 19, 1981.

PURSUANT to the terms of the aforementioned Order (Part I, Sections A.2, A.3 and A.6), any discharge from your facility is limited to the following: Discharge Limitation

		Discharge Limitations	
		lbs/day	mg/l
Effluent	Outfall	Daily	Daily
Characteristics	No.	Maximum	Maximum
Phenol	006	10	0.20
рН	002	The pH shall be w of 6.0 to 9.5, 90 within the range 95% of the time; of 3.0 to 11.0, 9 and within the ra 100% of the time period beginning a.m. of each day.	% of the time; of 5.0 to 10.0, within the range 9% of the time; nge of 2.0 to 12.0, during a 24 hour
рН	003	The pH shall be wof 6.0 to 9.5, 95; and within the rail 100% of the time period beginning a.m. of each day.	% of the time; nge of 2.0 to 11.0, during a 24 hour

The monthly monitoring report submitted for the month of February 1982 shows that your facility exceeded its authorized discharge limits according to the following:

Date Sampled	Outfall	Effluent Characteristic		ed Value		
Sampred	No.	Characteristic	is lbs/day	mg/1		
02/15/62	006	Pheno1	16.94	0.350		
02/16/82	006	Phenol	11.66	0.255		
		Outfall 006 pH Reported Values				
		pH Range	pH Range			
Date Sampled	!	5 - 10 : 95%	3 - 11 : 99%			
02/06/82		94.2%	98.8%			
		Outfall 003 pH Reported Values				
		pH Range	pH Range			
Date Sampled	<u>l</u>	6 - 9.5 : 99%	2 - 11 : 100%			
02/05/82		93.1%	94.8%			
02/09/82		94.0%	97.4%			

- FURTHER, Po SUANT to the terms of the aforementioned permit (Part II. Section A.1): "All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit fore frequently than or at a level in excess of that authorized shall constitute a violation of the permit."
  - BE ADVISED that the discharges cited in this Motice of Noncompliance are violations of NPDES Permit No. MI 0002381.
  - BE FURTHER ADVISED that violations of the final effluent limitations contained in your NPDES permit occurred in the months prior to February 1982. Although these violations are not being listed in this Notice of Noncompliance, this is not to be construed as a release or waiver of liability for these violations.
  - By correspondence received February 16, 22, and March 4, 1982 and by letter dated March 10, 1982, the Pennwalt Corporation has offered a written explanation for the unauthorized and excessive discharges cited in this Notice of Noncompliance and listed measures that have been taken to prevent recurrence of moncomplying discharges.
  - IT IS THEREFORE DIRECTED that the Pennwalt Corporation take whatever steps are necessary to achieve and maintain compliance with permit effluent limitations.
  - BE ADVISED that compliance with the terms of this Notice of Noncompliance does not constitute a release or waiver of liability for violations, past or continuing, of the NPDES permit, the Final Order, P.L. 95-217 and/or Act 245, Public Acts of 1929, as amended.

BE FURTHER ADVISED that failure to comply with the terms and conditions of this Notice of Noncompliance may result in further administrative remedies being instituted.

WATER RESOURCES COMMISSION MICHIGAN DEPARTMENT OF NATURAL RESOURCES

Sobert y. Cour

Date Issued: May 12, 1982

Robert J. Courchaine Executive Secretary

bv:

Ms. D. D. Fummala
Water Quality Specialist
Compliance Section

ADDRESS FOR FURTHER CORRESPONDENCE

Water Quality Division P. O. Box 30028 Lansing, Michigan 48909 Telephone: (517) 373-8448

and

Water Quality District Office 9311 Groh Road Grosse Ile, Michigan 48138 Telephone: (313) 675-0860